IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.638 OF 2005

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

Mr.J.N.Shiradhankar i/by S.J.Khera for the petitioner.

Mr.Nilesh Das for Respondent no.1.

Mr.P.S.Hingorani APP for Respondent no.2.

Coram : R.S.Mohite,J

Date : 3.2.2006.

PC

1. This petition has been filed impugning an order dated 30.11.2004 and seeking the relief that the petitioner may be permitted to furnish cash in lieu of surety for securing bail. It is seen that the bail order directed that the accused should be released on furnishing PR bond of Rs.10,000/- with one surety. This order has been passed on 30.11.2004. The petitioner has not been able to furnish any surety for more than a year and 2 months. Advocate for the petitioner states

that this Court by its order dated 20.10.2005 has granted four weeks time to furnish surety. He seeks extension of time. In so far as furnishing surety is concerned, no provision is shown to me, by which surety is required to be furnished in any particular period. If surety is not furnished, the petitioner will be continued to remain in the custody. In the circumstances, petitioner will be at liberty to furnish surety as and when available and on furnishing acceptable surety, he will be released on bail. As I am not inclined to allow cash surety which is the main prayer in the petition, petition is disposed of subject to the aforesaid direction. Certified copy expedited.

(R.S.Mohite,J)